

REMARKS

The applicants are filing a Request for Continued Examination in order to amend the claims of record and to add new claims. It is believed that the claims as presented herein distinguish patentably from the art relied on by the Examiner in the final rejection of July 15, 2003 and should otherwise be allowable. Accordingly, favorable reconsideration of this application is requested.

Before discussing the changes in the claims, the counsel wishes to thank the Examiner for courtesy extended in telephone discussions on November 18, 2003 regarding the issues raised in the final rejection and possible amendments to obviate the Examiner's art rejections of record. The present amendment and the Request for Continued Examination are being filed as a follow-up to said discussions.

Regarding the claim changes, claim 1 has been amended to specify that the particle, to which the polysaccharide is attached, is different in composition from the polysaccharide. It is believed that this patentably distinguishes claim 1, and the claims dependent thereon (claims 5-11) from Cottrell. While the applicants do not agree with the Examiner that Cottrell discloses a particle carrying perfume attached to the polysaccharide, the indicated amendment, distinguishing the particle compositionally from the polysaccharide, serves to underscore the differences between the applicants' invention as defined in claim 1 and Cottrell where the perfume is absorbed by the polysaccharide itself. Accordingly, reconsideration of the Section 102(e) rejection of claims 1 and 5-11, based on Cottrell, is requested.

For basically similar reasons, reconsideration of the Section 103 rejection of claims 1, 6-9 and 11 as unpatentable over Cottrell is requested. The reference clearly does not suggest a conjugate as defined in claim 1, particularly as amended.

Claim 1 has also been amended to define the particle as one carrying absorbed, adsorbed, impregnated or encapsulated perfume. This underscores differences over Ibe where the perfume is present as free perfume. The indicated amendment is thought to be in accord with the Examiner's comment, at page 4, last full ¶, of the final rejection.

Basis for the amendments made in claim 1 is found at, for example, page 3, lines 10-13.

Claims 7 and 8 have been amended to depend from either claim 1 or new claim 12, the latter being discussed below. Additionally, claim 7 has been amended to specify that the particle is linked to the polysaccharide by adsorption. This amendment further distinguishes from the references applied by the Examiner. Basis for the amendment of claim 7 to recite attachment by adsorption is found at, for example, page 6, lines 25-27.

Claims 10 and 11 have also been amended to depend from new claim 12 as well as from claim 1.

Turning now to the newly added claims, claim 12 is modeled after prior claim 1 but specifies that the particle attached to the polysaccharide is porous silica which carries the perfume absorbed therein. Basis for these features of claim 12 is found at, for example, page 3, lines 10-16.

Cottrell and Ibe do not disclose or suggest the use of porous silica particles carrying perfume absorbed therein as claimed in claim 12. Hence, claim 12 should be allowable.

New claim 13 is modeled after claim 1, as amended, except that claim 13 calls for the perfume to be carried only by the particle. Basis for this feature is found in the applicants' disclosure at, for example, page 3, lines 14-16.

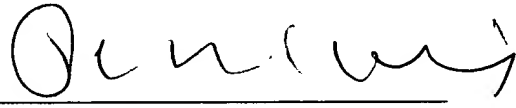
The references do not disclose or suggest a conjugate as claimed in new claim 13.

New claim 14 is drawn to preferred amounts of perfume based on the total weight of the perfume. Basis for this claim is found at, for example, page 4, lines 14-18 of the applicants' specification. The feature of claim 14 is not disclosed or suggested by the Examiner's references, particularly in the context of a conjugate as defined in claim 1 or new claim 12 from which claim 14 depends.

The same is true for claim 15 which calls for the perfume to be encapsulated. Basis for this feature is found at, for example, page 3, lines 12-13, 17-18.

In view of the foregoing, it is believed that this application is in condition for allowance and such action is requested.

Respectfully submitted,
MORGAN LEWIS & BOCKIUS LLP

By 
Paul N. Kokulis
Reg. No. 16773

Date: January 16, 2004

Customer No. 09629
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: (202) 739-3000
Facsimile: (202) 739-3001
Direct: (202) 739-5455